

Robert A. Higgins &amp; Associates P. C. -Hurst

800 Forest Oak Lane, Suite C

Hurst, TX 76053

Phone: (817) 268-1400

Bar Number: 24041409

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE:

(H) **James Thomas Crooks**(W) **Michele Marie Crooks**

Debtor(s)

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CASE NO:

FOR CLERK'S USE ONLY

**DEBTOR'S PRELIMINARY CHAPTER 13 PLAN**DATED: 7/5/2004

<b>TRUSTEE'S NOTES:</b>		Date Case Filed	
		Type of Payment 1=Annual, 2=Semi-Annual 4=Quarterly, 12=Monthly	
		12	
H&W Monthly Take Home Pay	<b>\$4,346.01</b>	Periodic Payment Amount	<b>\$370.00</b>
Less Expenses	<b>\$3,976.01</b>	Number of Plan Payments	<b>36 months</b>
Equals Surplus	<b>\$370.00</b>	Equals Base Plan Amount	<b>\$13,320.00</b>
		Calculated Amount	<b>\$13,320.00</b>
Total Debtor Attorney Fees	<b>\$2,000.00</b>	Noticing Fees: # of Notices X 1 The Trustee shall be allowed to collect noticing fees from the first distribution to creditors.	52
Attorney Fees paid by Trustee (Gross amount paid including interest, if any)	<b>\$1,644.00</b>		
Total Filing Fees of <u>\$194.00</u> with paid by Trustee	<b>\$0.00</b>		<b>\$1.05</b>
		Total Noticing Fees	<b>\$54.60</b>

**HOME MORTGAGE:**Regular mortgage payments on all liens to be paid "Direct" by Debtor beginning on 8/1/2004.

Arrearages are to be paid by the Trustee as follows:

Lien Holder	Total Arrearage	Through MM/DD/YY	Interest Rate	Payment Term	# of Payments	Periodic Payment Amount
James B Nutter	\$2,000.00		8%	1-35	35	Pro-Rata

**SECURED CREDITORS:**

Name	Description of Collateral	Scheduled Amount	Value of Collateral	Annual Int. Rate	Term	# of Prmts.	CD	Periodic Payment Amount
Citi Financial	Furniture	\$2,789.29	\$1,000.00	5%	1-35	35	1	Pro-Rata
Texas Employees Credit Union	1999 Oldmobile Aлен	\$6,300.00	\$6,300.00	5%	1-36	35	1	\$190.91
James B Nutter	Residence	\$110,000.00	\$123,900.00	0%	N/A	N/A	0	\$940.00 (Direct)
Wells Fargo Financial	1995 Chevy Truck	\$2,530.00	\$6,000.00	5%	N/A	N/A	0	\$110.00 (Direct)

CD..... 0=Direct or Surrender, 1=Paid by Trustee (Any Deficiency will automatically be bifurcated or "split" and included in the unsecured class)

\* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

Computer software provided by LegalPRO Systems, Inc., San Antonio, Texas - (210) 561-5300.

(H) James Thomas Crooks

(W) Michele Marie Crooks

(C#)

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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**EXECUTORY CONTRACTS AND UNEXPIRED LEASES:**

Creditor Name	Description of Contract	Election	In Default
(None)			No

**PRIORITY CREDITORS:**

Name	Amount Disputed	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount

**SPECIAL CLASS UNSECURED CREDITORS:**

Name	Basis for Classification	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount

**GENERAL UNSECURED CREDITORS:**

The general unsecured creditors, listed below, will receive an estimated 0% of their claims, or a pro rata share of Total Payments (Base Plan Amount) shown above, after all of the above claims are paid in full.

Name	Note	Amount
Anderson Fin Network I (original Credito		\$185.00
Asset Accept (original Creditor:southwes		\$82.00
Capital One Services		\$999.11
Cba Collection Bureau (original Creditor		\$76.00
Chase		\$500.00
Citi Cards		\$8,784.84
Citi Financial	Deficiency	\$1,789.29
Citibank		\$7,091.00
Collection (original Creditor:med1pinnac		\$541.00
Collection Bureau of America		\$75.70
Comcast		\$75.70
Computer Credit		\$168.35
Computer Credit Inc		\$0.00
Credit First N A		\$667.00
Credit First N.A. Firestone		\$626.27
Dillards		\$367.66
Er Solutions (original Creditor:reliant		\$314.00
Fncl Corp Of America (original Creditor:		\$150.00
Fncl Corp Of America (original Creditor:		\$82.00
Foleys		\$344.12
Harris Methodist Fort Worth		\$896.08
Harris Methodist HEB		\$44.00
Harris Methodist HEB		\$150.00
Harris Methodist HEB		\$16.75
Harris Methodist HEB		\$168.35
Home Depot Credit Service		\$1,296.70
HRS USA - Best Buy		\$1,922.77
Kohl's		\$456.63
MBI		\$81.62
MBI		\$0.00
Merchants & Prof C B (original Creditor:		\$169.00
NCO Financial System		\$896.08
Ncofinsys (original Creditor:harris Meth		\$896.00
Pinnacle Anesthesia Cons.		\$540.52
Providian		\$1,740.00

\* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

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(C#)

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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Retailers Naitonal Bank	\$345.57
Retailers National Bank	\$590.57
Retailers National Bank	\$577.20
Southwestern Bell	\$82.89
T-Mobile	\$58.71
Victoria's Secret	\$93.89

Total Unsecured Debt ---> **\$33,942.37**

The total of all unsecured debt, including deficiencies is **\$33,942.37** with **\$165.84** paid to the unsecured creditors.

**COMPUTATION OF REQUIRED PLAN PAYMENTS:**

	Total Amounts	Total Payments with Interest (Gross amount to be disbursed)
Filing Fees	<b>\$0.00</b>	<b>\$0.00</b>
Noticing Fees	<b>\$54.60</b>	<b>\$54.60</b>
Debtor Attorney Fees	<b>\$1,644.00</b>	<b>\$1,644.00</b>
Home Mortgage Arrears	<b>\$2,000.00</b>	<b>\$2,258.03</b>
Secured Claims	<b>\$7,300.00</b>	<b>\$7,870.99</b>
Priority Claims	<b>\$0.00</b>	<b>\$0.00</b>
Special Class Unsecured Claims	<b>\$0.00</b>	<b>\$0.00</b>
General Unsecured Claims	<b>\$33,942.37</b>	<b>\$165.84</b>
<b>Totals</b>	<b>\$44,940.97</b>	<b>\$11,993.46</b>
With Zero to Unsecureds	<b>\$13,154.16</b>	Trustee Fees <small>10 % of Total Payments (less filing &amp; noticing fees)</small>
Base Plan Amount	<b>\$13,320.00</b>	Total Payments <small>Total distribution + Trustee Fees + Filing &amp; Notice Fees</small>
Available for Unsecureds	<b>\$165.84</b>	<b>\$13,320.00</b>
Unsecured Percentage Computed on Base Plan Amount	<b>0%</b>	Required Periodic Payment to Achieve Unsecured Percentage <b>\$370.00</b>

(H) James Thomas Crooks

(W) Michele Marie Crooks

(C#)

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing PRELIMINARY CHAPTER 13 PLAN was served upon the following parties of interest:

Tim Truman  
6851 N. E. Loop 820, Suite 300  
N. Richland Hills, TX 76180

and all parties and creditors listed on the original mailing matrix and any amended mailing matrix.

DATED: 07/05/2004/s/ Eric Allen Maskell**Eric Allen Maskell**

Robert A. Higgins &amp; Associates P. C. -Hurst

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Bar Number: 24041409

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

IN RE:

**James Thomas Crooks****Michele Marie Crooks**

Debtor(s)

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CASE NO:

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**AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT DATED: 7/5/2004**

The undersigned Debtor(s) hereby request that payments received by the Trustee prior to confirmation be disbursed in accordance with Standing Order Number 93-1, as indicated below:

Periodic Payment Amount	\$370.00	
Disbursements	First (1)	Second (2) (Other)
Account Balance Reserve	\$5.00	\$0.00
Related Expense to Trustee	\$36.50	\$37.00
Filing Fees	\$0.00	\$0.00
Noticing Fees	\$54.60	\$0.00
<b>Subtotal Expenses/Fees</b>	<b>\$96.10</b>	<b>\$37.00</b>
Available for Adequate Protection, Attorney Fees and Undisputed Priority Claims from First and Second Disbursements:	\$273.90	\$333.00

**SECURED CREDITORS:**

Name	Collateral	Scheduled Amount	Value of Collateral	Adequate Protection Percentage	Adequate Protection Payment Amount
Texas Employees Credit Union	1999 Oldmobile Alen	\$6,300.00	\$6,300.00	1.25%	\$78.75
Total Adequate Protection Payments:					<b>\$78.75</b>
Funds Available For Debtor's Attorney First Disbursement:					<b>\$195.15</b>
Funds Available For Debtor's Attorney Future Disbursements:					<b>\$254.25</b>
Estimated Number of Months to Pay all Attorney Fees:					<b>7</b>

Available For Secured Creditors as Authorized Above After Debtor's Attorney Fees are Paid in Full: **\$333.00\*\***

ADEQUATE PROTECTION PAYMENTS TO SECURED CREDITORS WILL AUTOMATICALLY INCREASE TO PLAN PAYMENT AMOUNTS IF ATTORNEY'S FEES ARE PAID IN FULL OR \$1,500.00 IS PAID AND \$500.00 IS RESERVED PRIOR TO CONFIRMATION. ANY EXCESS FUNDS WILL BE PAID TO UNDISPUTED PRIORITY AND/OR SPECIAL CLASS UNSECURED CLAIMS.

(H) James Thomas Crooks

(W) Michele Marie Crooks

(C#)

AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT

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 PROPOSED, AUTHORIZED, REQUESTED AND ACKNOWLEDGED BY DEBTORS: DEBTOR(S) DECLINE(S) AUTHORIZATION FOR PRE-CONFIRMATION DISBURSEMENT:DATED: 07/05/2004/s/ Eric Allen Maskell

Attorney for Debtor(s)

Trustee, Attorney for Trustee or Trustee's Representative

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IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

IN RE:

(H) James Thomas Crooks

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CASE NO:

(W) Michele Marie Crooks

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Debtor(s)

FOR CLERK'S USE ONLY

CHAPTER 13 PLAN SUMMARY (EXHIBIT "A")DATED: 7/5/2004.

Petition was filed on \_\_\_\_\_.

H&W Monthly Take Home Pay: \$4,346.01 Expenses: \$3,976.01 Surplus: \$370.00First payment due by: 8/17/2004.PLAN PAYMENT: Debtor(s) to pay \$370.00 per month for 36 months for a total of \$13,320.00.ADMINISTRATIVE: Total debtor's attorney fees of \$2,000.00 with \$1,644.00 through the plan.

Outstanding filing fees of \_\_\_\_\_ will be paid through the plan.

If applicable, the trustee shall collect noticing fees from the first disbursement in the amount of \$54.60.HOME MORTGAGE: Regular mortgage payments on all liens to be "Direct" by Debtor beginning 8/1/2004; arrearages to be paid by the Trustee as follows:

Lien Holder	Total Arrearage	Through MM/DD/YY	Interest Rate	Payment Term	# of Payments	Periodic Payment Amount
James B Nutter	\$2,000.00		8%	1-35	35	Pro-Rata

## SECURED CREDITORS:

Name	Description of Collateral	Scheduled Amount	Value of Collateral	Annual Int. Rate	Term	Periodic Payment Amount
Citi Financial	Furniture	\$2,789.29	\$1,000.00	5%	1-35	Pro-Rata
Texas Employees Credit Union	1999 Oldmobile Aten	\$6,300.00	\$6,300.00	5%	1-36	\$190.91
James B Nutter	Residence	\$110,000.00	\$123,900.00	0%	N/A	\$940.00 (Direct)
Wells Fargo Financial	1995 Chevy Truck	\$2,530.00	\$6,000.00	5%	N/A	\$110.00 (Direct)

## EXECUTORY CONTRACTS AND UNEXPIRED LEASES:

Creditor Name	Description of Contract	Election	In Default
(None)			No

## PRIORITY CREDITORS:

Name	Amount Disputed	Scheduled Amount	Annual Int. Rate	Term	Periodic Payment Amount
Higgins & Associates P. C. -Hu	\$0.00	\$1,644.00	0%		First Funds

(H) James Thomas Crooks

(W) Michele Marie Crooks

(C#)

CHAPTER 13 PLAN SUMMARY (EXHIBIT "A")

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**SPECIAL CLASS UNSECURED CREDITORS:**

Name	Basis for Classification	Scheduled Amount	Annual Int. Rate	Term	Periodic Payment Amount
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**GENERAL UNSECURED CREDITORS:** Pay approximately 0%.

Name	Disputed	Contingent	Note	Amount
Anderson Fin Network I (original Credito	<input type="checkbox"/>	<input type="checkbox"/>		\$185.00
Asset Accept (original Creditor:southwes	<input type="checkbox"/>	<input type="checkbox"/>		\$82.00
Capital One Services	<input type="checkbox"/>	<input type="checkbox"/>		\$999.11
Cba Collection Bureau (original Creditor	<input type="checkbox"/>	<input type="checkbox"/>		\$76.00
Chase	<input type="checkbox"/>	<input type="checkbox"/>		\$500.00
Citi Cards	<input type="checkbox"/>	<input type="checkbox"/>		\$8,784.84
Citi Financial	<input type="checkbox"/>	<input type="checkbox"/>	Deficiency	\$1,789.29
Citibank	<input type="checkbox"/>	<input type="checkbox"/>		\$7,091.00
Collection (original Creditor:med1pinnac	<input type="checkbox"/>	<input type="checkbox"/>		\$541.00
Collection Bureau of America	<input type="checkbox"/>	<input type="checkbox"/>		\$75.70
Comcast	<input type="checkbox"/>	<input type="checkbox"/>		\$75.70
Computer Credit	<input type="checkbox"/>	<input type="checkbox"/>		\$168.35
Computer Credit Inc	<input type="checkbox"/>	<input type="checkbox"/>		\$0.00
Credit First N A	<input type="checkbox"/>	<input type="checkbox"/>		\$667.00
Credit First N.A. Firestone	<input type="checkbox"/>	<input type="checkbox"/>		\$626.27
Dillards	<input type="checkbox"/>	<input type="checkbox"/>		\$367.66
Er Solutions (original Creditor:reliant	<input type="checkbox"/>	<input type="checkbox"/>		\$314.00
Fncl Corp Of America (original Creditor:	<input type="checkbox"/>	<input type="checkbox"/>		\$150.00
Fncl Corp Of America (original Creditor:	<input type="checkbox"/>	<input type="checkbox"/>		\$82.00
Foleys	<input type="checkbox"/>	<input type="checkbox"/>		\$344.12
Harris Methodist Fort Worth	<input type="checkbox"/>	<input type="checkbox"/>		\$896.08
Harris Methodist HEB	<input type="checkbox"/>	<input type="checkbox"/>		\$44.00
Harris Methodist HEB	<input type="checkbox"/>	<input type="checkbox"/>		\$150.00
Harris Methodist HEB	<input type="checkbox"/>	<input type="checkbox"/>		\$16.75
Harris Methodist HEB	<input type="checkbox"/>	<input type="checkbox"/>		\$168.35
Home Depot Credit Service	<input type="checkbox"/>	<input type="checkbox"/>		\$1,296.70
HRS USA - Best Buy	<input type="checkbox"/>	<input type="checkbox"/>		\$1,922.77
Kohl's	<input type="checkbox"/>	<input type="checkbox"/>		\$456.63
MBI	<input type="checkbox"/>	<input type="checkbox"/>		\$81.62
MBI	<input type="checkbox"/>	<input type="checkbox"/>		\$0.00
Merchants & Prof C B (original Creditor:	<input type="checkbox"/>	<input type="checkbox"/>		\$169.00
NCO Financial System	<input type="checkbox"/>	<input type="checkbox"/>		\$896.08
Ncofinsys (original Creditor:harris Meth	<input type="checkbox"/>	<input type="checkbox"/>		\$896.00
Pinnacle Anesthesia Cons.	<input type="checkbox"/>	<input type="checkbox"/>		\$540.52
Providian	<input type="checkbox"/>	<input type="checkbox"/>		\$1,740.00
Retailers Naitonal Bank	<input type="checkbox"/>	<input type="checkbox"/>		\$345.57
Retailers National Bank	<input type="checkbox"/>	<input type="checkbox"/>		\$590.57
Retailers National Bank	<input type="checkbox"/>	<input type="checkbox"/>		\$577.20
Southwestern Bell	<input type="checkbox"/>	<input type="checkbox"/>		\$82.89
T-Mobile	<input type="checkbox"/>	<input type="checkbox"/>		\$58.71
Victoria's Secret	<input type="checkbox"/>	<input type="checkbox"/>		\$93.89

Total Unsecured Debt ---&gt;

**\$33,942.37**